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Judge Orders Ex-CIA Agent To Stand Trial

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A federal judge, rejecting former CIA agent Edwin P. Wilson's claims that federal agents acted illegally when they lured him back to the United States, yesterday ordered Wilson to stand trial here Nov. 22 on charges of shipping explosives to Libyan ruler Col. Muammar Qaddafi.

But U.S. District Judge John H. Pratt granted a move by Wilson's lawyers to split the group of charges against Wilson into two trials. The second trial, for which no date has been set, will deal with charges that Wilson and former CIA employee Francis E. Terpil conspired to kill a Libyan dissident on behalf of Qaddafi.

Pratt ordered lawyers for both sides to present written arguments within a week on Wilson's claims that the explosives charges cannot be heard here because the explosives were shipped elsewhere. But he rejected without comment a series of other arguments by Wilson's lawyers, Herald Price Fahringer and John A. Keats, including a request that the government's chief prosecutor, E. Lawrence Barcella Jr., be removed from the case.

The major issue during the nearly four-hour hearing yesterday was whether the government had acted illegally in creating an elaborate ruse that lured Wilson out of Libya and led to his arrest last June in New York.

Barcella conceded in court that a letter purportedly from the National Security Council, which was used to help persuade Wilson to leave Libya, said Wilson would not be arrested if he went to the Dominican Republic.

"To that extent," Barcella said, "the letter was a fraud." But the prosecutor argued that under the law, "fraud was permitted" in trying to bring back fugitives.

Wilson, who is being held on a total \$60 million bond, also is due to stand trial in Houston on Oct. 27 and in Alexandria on Nov. 15 on other charges related to the shipments of weapons and explosives.

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JUDGE SAYS EX-SPY MUST STAND TRIAL

Lawyers for Former Agent Say
Arrest for Aiding Terrorists
Followed an Illegal Ploy

WASHINGTON, Sept. 27 (AP) — A Federal district judge rejected arguments today that the Government illegally lured Edwin P. Wilson, a former Central Intelligence Agency operative, from his haven in Libya to an arrest in New York City.

The judge, John H. Pratt, set Nov. 22 for the trial of Mr. Wilson on charges that he failed to register as a Libyan agent and that he illegally shipped explosives to a terrorists in Libya in 1976 and 1977.

But Judge Pratt granted a defense motion to give Mr. Wilson a separate trial on charges that he conspired to assassinate a Libyan dissident.

After a four-hour hearing, Judge Pratt rejected the contention by Mr. Wilson's chief attorney, Herald Price Fahringer, that a Government plan to lure Mr. Wilson to his arrest involved such misconduct that the defendant should be freed.

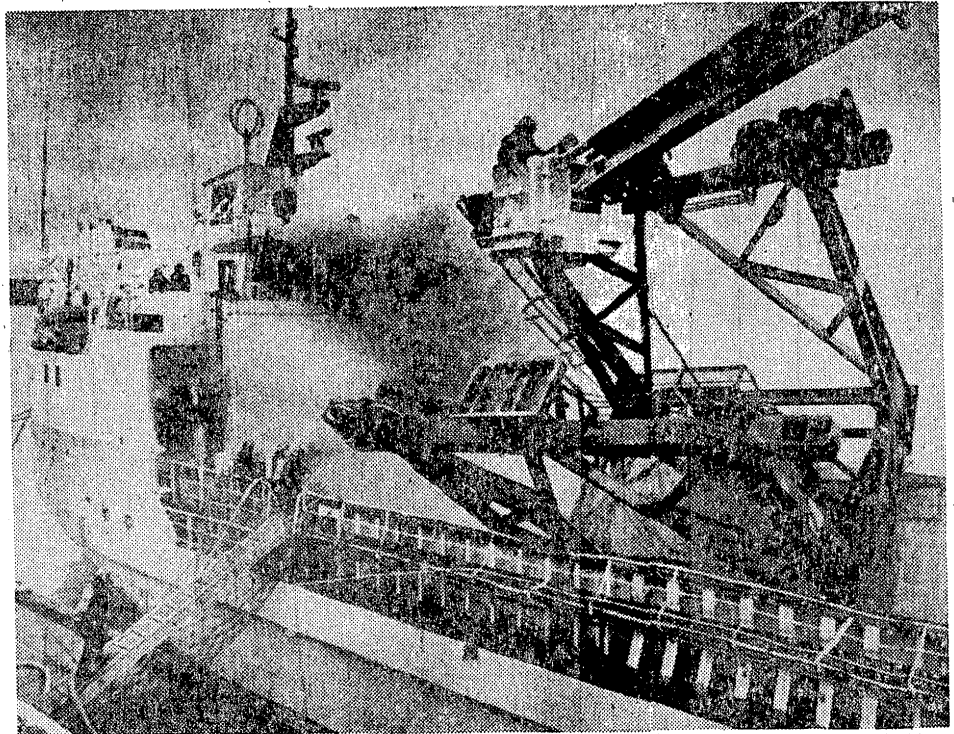
Letter Promised Safe Haven

Thus far, the argument that Mr. Wilson was arrested illegally has been the main thrust of defense efforts in his behalf, and his attorneys made clear that despite Judge Pratt's rejection of the argument, they would raise it before two other Federal judges handling other charges against Mr. Wilson.

Mr. Wilson is being held at an undisclosed location in the New York City area in lieu of bonds totaling \$60 million in the three cases.

Mr. Fahringer said that Mr. Wilson, who was in Libya at the time of his initial indictment in April 1980, was persuaded to leave that country by a businessman, Ernest Keiser. Mr. Fahringer said Mr. Keiser represented himself as a consultant to the National Security Council, seeking Mr. Wilson's help in setting up an intelligence project in Central America.

According to Mr. Fahringer, Mr. Keiser showed Mr. Wilson a letter at the Zurich airport in June of this year, purportedly from the National Security Council, promising him a safe haven in the Dominican Republic.



Associated Press

Two Killed in Crane Mishap

Wilmington, Del., firefighters working to contain a fire on the freighter *Norned Thor* yesterday. The blaze was touched off when a 60-foot-high crane used to unload the

freighter collapsed and fell into the hold, rupturing the crane's fuel tank. Both of the crane's operators were killed. The 15 workers on the ship were not hurt.

When Mr. Wilson arrived in the Dominican Republic the next day, he was denied entry and put on a plane to New York City, where he was arrested.

Arguing for the Government, E. Lawrence Barcella Jr., an Assistant United States Attorney, said that the Government had told Mr. Keiser repeatedly not to use the National Security Council ploy with Mr. Wilson, but "not as a matter of legality — just for appearances."

Mr. Barcella said that Mr. Keiser had nevertheless concocted the letter that, he said, "did not promise immunity from prosecution."

"At best it promised immunity from arrest," he said. "To that extent, the letter was a fraud but fraud is permitted" as a means of returning defend-

Mr. Fahringer argued that a decision by the Court of Appeals for the Second Circuit in New York City prohibited the Government from using fraud to return potential defendants to this country, but Mr. Barcella said an unbroken string of Supreme Court decisions indicated that fraud was permitted in such an effort.

"We could have promised him a papal audience, a joint address before Congress and a weekend with a starlet of his choice and it wouldn't matter," Mr. Barcella told Judge Pratt. The judge gave no indication of his reasoning but denied Mr. Fahringer's request for a hearing on the claim of an illegal arrest.

The judge also denied defense motions to disqualify two prosecution lawyers from trying the case, defense mo-

dictment against Mr. Wilson, and a flock of other defense motions.

In granting a separate trial on the charges that Mr. Wilson conspired unsuccessfully to assassinate a Libyan dissident, Umar Abdullah Muhayshi, Judge Pratt said that he saw a "substantial difference" between that supposed conspiracy and the allegations of transporting explosives, and thought that the inclusion of both charges in the same trial "may be unduly prejudicial" to Mr. Wilson. Judge Pratt set no date for trial on the murder-conspiracy charges.

Mr. Wilson also faces Federal trials in Houston on Oct. 27 on charges of shipping additional explosives to Libya, and in northern Virginia on Nov. 15 on charges of illegally smuggling weapons out of this country.